

1 Muriel B. Kaplan, Esq. (SBN 124607)
2 Michele R. Stafford, Esq. (SBN 172509)
3 SALTZMAN & JOHNSON LAW CORPORATION
4 120 Howard Street, Suite 520
5 San Francisco, CA 94105
(415) 882-7900
(415) 882-9287 – Facsimile
mkaplan@sjlawcorp.com
mstafford@sjlawcorp.com

6 Attorneys for Plaintiffs

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9 UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 GIL CROSTHWAITE, et al., as Trustees of the
12 OPERATING ENGINEERS HEALTH AND
13 WELFARE TRUST FUND FOR NORTHERN
CALIFORNIA; et al.,

14 Plaintiffs,
v.

15 GOLDEN HILLS CONTRACTORS, INC., and
16 DONALD EDWARD WILSON,

17 Defendants.

Case No.: C06-7779 JSW

**REQUEST FOR CONTINUANCE OF
CASE MANAGEMENT CONFERENCE**

Date: September 7, 2007

Time: 1:30 p.m.

Location: 450 Golden Gate Avenue
San Francisco, California

Courtroom: 2, 17th Floor

Judge: The Honorable Jeffrey S. White

21 Plaintiffs herein again respectfully request a Continuance of the Case Management
22 Conference currently on calendar for September 7, 2007.
23

24 1. Counsel for Plaintiffs substituted in to this action on or about June 6, 2007, and
thereafter reviewed the file of prior counsel to determine the content and status of the claims.
25 Plaintiffs' counsel contacted defendant, who had not answered the complaint, to determine his
26 position as to the claims made by Plaintiffs.
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2. Defendant has represented that he would like to resolve the matter, yet it has been determined that there may be an additional claimant Trust Fund not currently a plaintiff, with separate counsel. Plaintiffs are in the process of determining whether they will seek leave (if necessary) to amend the complaint in this action to include the additional plaintiff, or whether a separate claim will be filed by separate counsel for the other Trust Fund.

3. In the event that the separate counsel will take independent action for its client's claim, these plaintiffs will attempt to stipulate to a resolution with defendant in the pending action. If resolution is not reached, plaintiffs will immediately file their Request for Entry of Default, and a Motion for Default Judgment.

4. Plaintiffs therefore respectfully request that the Case Management Conference, currently scheduled for September 7, 2007, be continued for approximately 60-90 days to allow the plaintiffs to amend, or to resolve this action by stipulation or motion.

5. It is furthermore requested that all previously set deadlines and dates related to this case remain vacated to allow this matter to proceed as outlined above.

I declare under penalty of perjury that I am the attorney for the plaintiffs in the above entitled action, and that the foregoing is true of my own knowledge.

Executed this 28th day of August, 2007, at San Francisco, California.

SALTZMAN & JOHNSON LAW CORPORATION

By: _____/s/_____

Muriel B. Kaplan
Attorneys for Plaintiffs

IT IS SO ORDERED.

The currently set Case Management Conference is hereby continued to December 21, 2007 at 1:30 p.m., and all previously set deadlines and dates related to this case are vacated, to be reset at that Conference.

Dated: August 31, 3007

THE HONORABLE JEFFREY S. WHITE

REQUEST FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE 2
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